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John S. Nagy, Reg. No. 30,664



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/788,791
Applicant : Lilip Lau, Bill Hartigan
Filed : February 27, 2004
Art Unit : 3736
Examiner : Unassigned
Title : EXPANDABLE CARDIAC HARNESS FOR TREATING
CONGESTIVE HEART FAILURE

Docket No.: : PARCR 67466
Customer No. : 24201

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:


The documents listed on the enclosed Forms PTO/SB/08A have come to the attention of Applicants and are submitted to the Office under 37 C.F.R. § 1.97(c) (3) and §1.98(d). A copy of each of the listed foreign documents and articles is enclosed. Also enclosed is a copy of four Information Disclosure Statements (each with a Form PTO-1449) as filed in the parent application, U.S. Serial No. 09/634,043 now U.S. Patent No. 6,702,732. It is believed that these references will be helpful during examination of the application.

This application is a continuation of U.S. Serial No. 09/634,043 which issued as U.S. Patent No. 6,702,732 on March 9, 2004. A copy of the documents listed

on the Information Disclosure Statement by Applicant, Forms PTO-1449 can be found in U.S. Patent No. 6,702,732.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John S. Nagy
Registration No. 30,664

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Enclosures

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1

of 8

Complete if Known

Application Number	10/788,791
Filing Date	February 27, 2004
First Named Inventor	Lilip Lau
Art Unit	3736
Examiner Name	Unassigned
Attorney Docket Number	PARCR 67466

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		3,966,401		06/29/76	Hancock et al.	
		3,988,782		11/02/76	Dardik et al.	
		4,011,947		03/15/77	Sawyer	
		4,065,816		01/03/78	Sawyer	
		4,108,161		08/22/78	Samuels et al.	
		4,211,325		07/08/80	Wright	
		4,306,318		12/22/81	Mano et al.	
		4,512,471		04/23/85	Kaster et al.	
		4,545,783		10/08/85	Vaughn	
		4,665,906		05/19/87	Jervis	
		4,697,703		10/06/87	Will	
		4,750,619		06/14/88	Cohen et al.	
		4,838,288		06/13/89	Wright et al.	
		4,863,016		09/05/89	Fong et al.	
		5,031,762		07/16/91	Heacox	
		5,067,957		11/26/91	Jervis	
		5,106,386		04/21/92	Isner et al.	
		5,190,546		03/02/93	Daskalakis	
		5,344,442		09/06/94	Deac	
		5,366,460		11/22/94	Eberbach	
		5,385,229		01/31/95	Bittmann et al.	
		5,405,360		04/11/95	Tovey	

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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		EP	0 791 330 A3		08/27/97	Cardiothoracic Systems		
		PCT	WO 98/29041		07/09/98	Myocor, Inc.		
		PCT	WO 99/11201		03/11/99	Endocore, Inc.		
		EP	0 919 193 A1		06/02/99	Ethicon Endo-Surgery		
		PCT	WO 00/42919		07/25/00	Buckberg et al.		
		PCT	WO 00/48795		08/24/00	Richebourg		
		PCT	WO 00/74769		12/14/00	Johns Hopkins Univ.		
		PCT	WO 01/17437		03/15/01	Cardiothoracic Systems		
		PCT	WO 01/21098		03/29/01	Acorn Cardiovascular		
		PCT	WO 01/50981		07/19/01	Acorn Cardiovascular		

Examiner
Signature

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Substitute for form 1449A/PTO				Complete if Known				
				Application Number		10788,791		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date		February 27, 2004		
				First Named Inventor		Lilip Lau		
				Art Unit		3736		
				Examiner Name		Unassigned		
(use as many sheets as necessary)				Attorney Docket Number		PARCR 67466		
Sheet	2	of	8	U.S. PATENT DOCUMENTS				
Examiner Initials*	Cite No ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		Number	Kind Code ³ (if known)					
		5,460,962		10/24/95	Kemp			
		5,500,015		03/19/96	Altman			
		5,597,378		01/28/97	Jervis			
		5,607,477		03/04/97	Schindler et al.			
		5,727,569		03/17/98	Benetti et al.			
		5,800,528		09/01/98	Lederman et al.			
		5,814,097		10/29/98	Sterman et al.			
		5,824,028		10/20/98	Knisley			
		5,836,311		11/17/98	Borst et al.			
		5,904,690		05/18/99	Middleman et al.			
		5,927,284		07/27/99	Borst et al.			
		5,948,019		09/07/99	Shu et al.			
		6,007,486		12/28/99	Hunt et al.			
		6,015,378		01/18/00	Borst et al.			
		6,076,013		06/13/00	Brennan et al.			
		6,079,414		06/27/00	Roth			
		6,117,159		09/12/00	Huebsch et al.			
		6,117,979		09/12/00	Hendriks et al.			
		6,126,590		10/03/00	Alferness			
		6,166,184		12/26/00	Hendriks et al.			
		6,183,411		02/06/01	Mortier et al.			
		6,206,820		03/27/01	Kazi et al.			
FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind ⁵ (if known)				
		PCT	WO 01/95830		12/20/01	Acorn Cardiovascular		
		PCT	WO 02/13726		02/21/02	Acorn Cardiovascular		
		PCT	WO 02/19917		03/14/02	Converge Medical		
		PCT	WO 02/059007		08/01/02	SnapWare Corp.		
		PCT	WO 03/026483		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026485		04/03/03	The Foundry, Inc.		
		PCT	WO 03/026484		04/03/03	The Foundry, Inc.		
Examiner Signature					Date Considered			

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/788,791
Sheet		3	of	8	
		Examiner Name		Unassigned	
		Attorney Docket Number		PARCR 67466	

U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
		6,230,714		05/15/01	Alferness et al.	
		6,287,250		09/11/01	Peng et al.	
		6,306,141		10/23/01	Jervis	
		6,360,749		03/26/02	Jayaraman	
		6,375,608		04/23/02	Alferness	
		6,390,976		05/21/02	Spence et al.	
		6,432,039		08/13/02	Wardle	
		6,451,025		09/17/02	Jervis	
		6,482,146		11/19/02	Alferness et al.	
		6,537,203		03/25/03	Alferness et al.	
		6,544,168		04/08/03	Alferness	
		6,547,821		11/11/03	Taylor et al.	
		6,564,094		05/13/03	Alferness et al.	
		6,567,699		05/20/03	Alferness et al.	
		6,569,082		05/27/03	Chin	
		6,572,533		06/03/03	Shapland et al.	
		6,575,921		06/10/03	Vanden Hoek et al.	
		6,582,355		06/24/03	Alferness et al.	
		6,587,734		07/01/03	Okuzumi	
		6,595,912		07/22/03	Lau et al.	
		6,602,184		08/05/03	Lau et al.	
		6,612,978		09/02/03	Lau et al.	
		6,612,979		09/02/03	Lau et al.	
		6,659,082		05/27/03	Chin	
		6,645,139		11/11/03	Haindl	
		6,663,558		12/16/03	Lau et al.	
		6,673,009		01/06/04	Vanden Hoek et al.	
		6,682,474		01/27/04	Lau et al.	
		6,682,475		01/27/04	Cox et al.	

FOREIGN PATENT DOCUMENTS								
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				Application Number	10/788,791
				Filing Date	February 27, 2004
				First Named Inventor	Lilip Lau
				Art Unit	3736
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 67466
Sheet	4		8		

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		Filing Date	February 27, 2004
		First Named Inventor	Lilip Lau
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		Examiner Name	Unassigned
		Attorney Docket Number	PARCR 67466
Sheet	5	of	8

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Anstadt, George L., et al., <i>A New Instrument for Prolonged Mechanical Cardiac Massage</i> , Abstracts of the 38 th Scientific Sessions, Supplement II to <i>Circulation</i> , Vols. 31 and 32, pp. 375-384, October 1965	
		Schetky, L. McDonald, <i>Shap- Memory Alloys</i> , <i>Scientific American</i> , Vol. 241, No. 5, pp. 74-82, November 1979	
		Melton, K.N., et al., <i>Alloys With Two-Shape Memory Effect</i> , <i>Mechanical Engineering</i> , pp. 42-43, March 1980	
		Chekanov, Valeri, M.D., Ph.D., <i>Nonstimulated Cardiomyoplasty Wrap Attenuated the Degree of Left Ventricular Enlargement</i> , <i>Annals of Thoracic Surgeons</i> , Vol. 57, pp. 1684-1690, 1997	
		Chaudhry, Pervaiz A., M.D., et al., <i>Acute Ventricular Reduction with Acorn's Cardiac Support Device Prevents Progressive Left Ventricular Dysfunction and Remodeling in Dogs With Advanced Heart Failure</i> , <i>Cardiothoracic Surgery</i> , pp. 146-148, 1996	
		Vaynblat, Mikhail, M.D., et al., <i>Cardiac Binding in Experimental Heart Failure</i> , <i>Annals of Thoracic Surgery</i> , Vol. 64, pp. 81-85, 1997	
		Oh, Joong Hwan, <i>The Effects of Prosthetic Cardiac Binding and Adynamic Cardiomyoplasty in a Model of Dilated Cardiomyopathy</i> , <i>The Journal of Thoracic and Cardiovascular Surgery</i> , Vol. 116, No. 1, pp. 148-153, 1998	
		Cohn, Jay N., M.D., <i>Preventing Congestive Heart Failure</i> , <i>American Family Physician</i> , 6 pages, april 15, 1998	
		Cohn, Jay N., M.D., <i>Structural Basis for Heart Failure: Ventricular Remodeling and Its Pharmacological Inhibition</i> , <i>Circulation</i> , Vol. 91, No. 10, pp. 2504-2507, May 15, 1995	
		Gaudron, Peter, M.D., et al., <i>Progressive Left Ventricular Dysfunction and Remodeling After Myocardial Infarction</i> , <i>Circulation</i> , vol. 87, pp. 755-763, March 1993	
		Pfeiffer, Marc A., M.D., et al., <i>Ventricular Remodeling After Myocardial Infarction: Experimental Observations and Clinical Implications</i> , <i>Circulation</i> , Vol. 81, No. 4, pp. 1161-1172, April 1990	
		Power, J.M., et al., <i>Passive Ventricular Constraint Amends the Course of Heart Failure: A Study in an Ovine Model of Dilated Cardiomyopathy</i> , <i>Cardiovascular Research</i> , Vol. 44, pp. 549-555, 1999	
		Raman, Jai S., FRACS, et al., <i>Ventricular Containment as an Adjunctive Procedure in Ischemic Cardiomyopathy: Early Results</i> , <i>Annals of Thoracic Surgery</i> , Vol. 70, pp. 1124-1126, January 2000	

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		First Named Inventor	Lilip Lau
		Group Art Unit	3736
		Examiner Name	Unassigned
		Attorney Docket Number	PARCR 67466
(use as many sheets as necessary)			
Sheet	6	of	8

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹ .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Chaudhry, Pervaiz A., M.D., et al., <i>Passive Epicardial Containment Prevents Ventricular Remodeling in Heart Failure</i> , <u>Annals of Thoracic Surgeons</u> , Vol. 70, pp. 1275-1280, 2000	
		Oz, Mehmet C., M.D., <i>Passive Ventricular Constraint for the Treatment of Congestive Heart Failure</i> , <u>Annals of Thoracic Surgery</u> , Vol. 71, pp. 5185-5187, 2001	
		Gorman, J., <i>Self-Sutures: New Material Knots Up On Its Own</i> , <u>Science News</u> , Vol. 161, p. 262, April 27, 2002	
		Mann, Douglas L., M.D., <i>Basic Mechanisms of Remodeling and Reverse Remodeling</i> , presented at 6 th Annual Scientific Meeting of the Heart Failure Society of America, September 24, 2002	
		Bocchi, Edimar a., M.D., <i>Arrhythmias and Sudden Death After Dynamic Cardiomyoplasty</i> , <u>Circulation</u> , Vol. 90, No. 5, Part 2, pp. II-107 thru II-111, November 1994	
		Chachques, Juan C., M.D., <i>Study of Muscular and Ventricular Function in Dynamic Cardiomyoplasty: A Ten-Year Follow-Up</i> , <u>The Journal of Heart and Lung Transplantation</u> , Vol. 16, No. 8, pp. 854-868, August 1997	
		Dullum, Mercedes K.C., M.D., et al., <i>Less Invasive Surgical Management of Heart Failure by Cardiac Support Device Implantation on the Beating Heart</i> , <u>The Heart Surgery Forum</u> , #2001-1818, pp. 361-363, January 4-7, 2001	
		Macris, Michael P. M.D., et al., <i>Minimally Invasive Access of the Normal Preicardium: Initial Clinical Experience with a Novel Device</i> , <u>Clinical Cardiology</u> , Vol. 22 (Suppl. 1); pp. I-36 thru I-39, 1999	
		Thakur, Ranjan K., M.D., et al., <i>Latissimus Dorsi Dynamic Cardiomyoplasty: Role of Combined ICD Implantation</i> , <u>Journal of Cardiac Surgery</u> , Vol. 10, pp. 295-297, 1995	

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Substitute for form 1449B/PTO		Complete if Known	
		Application Number	10/788,791
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	February 27, 2004
		First Named Inventor	Lilip Lau
		Group Art Unit	3736
		Examiner Name	Unassigned
		Attorney Docket Number	PARCR 67466
(use as many sheets as necessary)			
Sheet	7	of	8

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹ .	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Application for U.S. Letters Patent Serial No. 09/634,043 filed August 8, 2000	
		Application for U.S. Letters Patent Serial No. 09/952,145 filed September 10, 2001	
		Application for U.S. Letters Patent Serial No. 10/242,016 filed September 10, 2002	
		Application for U.S. Letters Patent Serial No. 10/287,723 filed October 31, 2002	
		Application for U.S. Letters Patent Serial No. 10/314,696 filed December 9, 2002	
		Application for U.S. Letters Patent Serial No. 10/338,934 filed January 7, 2003	
		Provisional Patent Application Serial No. 60/458,991 filed March 28, 2003	
		Provisional Patent Application Serial No. 60/486,062 filed July 10, 2003	
		Application for U.S. Letters Patent Serial No. 10/694,646 filed October 27, 2003	
		Application for U.S. Letters Patent Serial No. 10/698,237 filed October 31, 2003	
		Application for U.S. Letters Patent Serial No. 10/704,376 filed November 7, 2003	
		Application for U.S. Letters Patent Serial No. 10/705,989 filed November 12, 2003	
		Application for U.S. Letters Patent Serial No. 10/714,189 filed November 13, 2003	
		Application for U.S. Letters Patent Serial No. 10/715,150 filed November 17, 2003	
		Application for U.S. Letters Patent Serial No. 10/754,174 filed January 9, 2004	
		Application for U.S. Letters Patent Serial No. 10/754,264 filed January 9, 2004	
		Application for U.S. Letters Patent Serial No. 10/754,852 filed January 9, 2004	
		Provisional Patent Application Serial No. 60/535,888 filed January 12, 2004	

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Substitute for form I449B/PTO <div style="text-align: center;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div> (use as many sheets as necessary)				Complete if Known	
				Application Number	10/788,791
				Filing Date	February 27, 2004
				First Named Inventor	Lilip Lau
				Group Art Unit	3736
				Examiner Name	Unassigned
				Attorney Docket Number	PARCR 67466
Sheet	8	of	8		

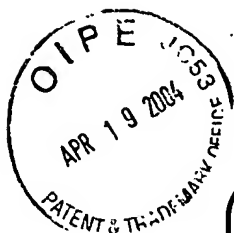
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/788,791	
	Filing Date	February 27, 2004	
	First Named Inventor	Lilip Lau	
	Art Unit	3736	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	PARCR 67466

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	FULWIDER PATTON LEE & UTECHT, LLP
Signature	
Date	April 15, 2004

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